

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

CHERYL THORNTON
1503 Third Street
West Portsmouth, OH 45663

Plaintiff,

VS.

RYAN FRAZIER
837 Montgomery Avenue
Ashland, KY 41101

And

UNITED STATES POSTAL
SERVICE
475 LenFant Plaza SW
Washington DC 20260

And

UNITED STATES ATTORNEY'S
OFFICE SOUTHERN DISTRICT OF
OHIO
221 E. Fourth Street, Suite 400
Cincinnati, OH 45202

AND

ATTORNEY GENERAL OF THE
UNITED STATES
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Defendants.

CASE:

JUDGE:

COMPLAINT:

**PERSONAL INJURY/
DECLARATORY JUDGMENT**

NOW COMES Plaintiff, Cheryl Thornton, as an individual, who hereby sets forth her Complaint against the Defendant(s) as follows:

COUNT ONE

(1) At all times material to the subject matter of this Complaint, the Defendant, Ryan Frazier, is a private individual who resides at 837 Montgomery Avenue, Ashland, KY 41101.

(2) At all times material to the subject matter of this Complaint, Defendant United States Postal Service (hereafter "USPS") is a duly licensed and authorized agency that routinely conducts business in the State of Ohio through express authority of the Ohio Secretary of State.

(3) At all times material to the subject matter of this Complaint, Plaintiff, Cheryl Thornton, is a private individual who resides at 1503 Third Street, West Portsmouth, OH 45663.

(4) On or about, December 13, 2019, Plaintiff, Cheryl Thornton, was a passenger in a vehicle driven by non-party, Reginald Bennett, traveling southbound on County Road 128 at or near the intersection of Township Road 292, in the Township of Hamilton, Lawrence County, Ohio. On the same date, same time, and same location, Defendant

Ryan Frazier, who was acting as an employee/agent/representative of the United States Postal Service, was traveling northbound on County Road 128 at or near the intersection of Township Road 292, in the Township of Hamilton, Lawrence County, Ohio. On December 13, 2019, defendant Frazier lost control of his vehicle in the curve, slid left of center and struck Plaintiff Thornton's vehicle.

(5) At all times pertinent to this action, Defendant Ryan Frazier was in the course and scope of his employment with defendant USPS as an employee/agent/representative of USPS and he negligently operated a motor vehicle in direct violation of Defendant's statutory duty imposed under the laws of the State of Ohio. Defendant USPS is directly responsible for the negligent actions of Defendant Ryan Frazier under the doctrine of Respondeat Superior.

(6) At all times pertinent to this action, Defendant Ryan Frazier was otherwise negligent in that Defendant Frazier failed to obey traffic laws, failed to operate a vehicle with reasonable control, failed to exercise ordinary care, and failed to yield on left turn.

(7) As a direct and proximate result of Defendant Ryan Frazier's negligence, Plaintiff Cheryl Thornton has experienced pain, suffering, mental anguish and serious emotional distress, and will continue to do so for the indefinite future; has required medical care and treatment for her injuries and will continue to do so for the indefinite future; has incurred

expenses for her care and treatment and will continue to do so for the indefinite future; and has lost her ability to enjoy a normal life.

WHEREFORE, The Plaintiff demands judgment as follows:

On Count ONE, Plaintiff Cheryl Thornton demands judgment against the Defendants Ryan Frazier and USPS both jointly and severally in an amount which exceeds Twenty-Five Thousand Dollars (\$25,000.00), together with interest as allowed by law and the cost of this action.

And for interest at the state statutory rate, costs and such other relief in equity as this Court deems fit.

Respectfully submitted,

[/s/ Nicholas C. DeGennaro, Esq./](#)

Nicholas C. DeGennaro, Esq. (0072327)

Attorney for Plaintiff

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Counsel for Plaintiff

Cheryl Thornton